

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2482

House Bill No. 2480*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-101(a) is amended by adding the following new subdivision (22):

(22) Food hall, as defined in Section 2, to those in attendance at the food hall, subject to further provisions of this chapter.

SECTION 2. Tennessee Code Annotated, Title 57, Chapter 4, Part 1, is amended by adding the following new section:

(a) As used in this chapter, "food hall" means a public place kept, used, maintained, advertised, and held out to the public as a place where meals are served and where meals are actually and regularly served; with adequate and sanitary kitchens, dining room equipment, and a seating capacity of at least one thousand two hundred (1,200) people at tables, counters, and other places for dining; having a sufficient number and kind of persons to prepare, cook, and serve suitable food for guests; and located in a facility or designated area having the following characteristics upon completion of construction:

(1) The facility has at least ninety thousand square feet (90,000 sq. ft.) in a multi-level mixed-used commercial building which includes restaurants, bars, and a rooftop with a live music venue;

(2) The facility includes at least twenty (20) separate points of sale, contiguous or noncontiguous, that regularly prepare and sell food;

(3) The easternmost corner of the structure that houses the facility is approximately:



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(A) One thousand four hundred (1,400) feet southwest of a public park that is adjacent to a navigable waterway;

(B) One thousand one hundred (1,100) feet southeast of a public park that is adjacent to a public library constructed in 2001;

(C) Five hundred (500) feet northwest of a public park that contains a walkway recognizing professionals in the music industry; and

(D) One thousand five hundred (1,500) feet southwest of a railway station providing commuter rail service that employs standard gauge locomotives and coaches;

(4) The property that houses the facility is across a public street from a live performance venue that was originally constructed in 1892 as a religious facility;

(5) The property that houses the facility is adjacent to a facility originally constructed in 1925 that houses the Grand Lodge of Free and Accepted Masons of Tennessee;

(6) The facility is located in a mixed used development located at the intersection of a federal highway and a municipal street; and

(7) The facility is located in a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

(b) The premises of a food hall means any or all of the property that constitutes the food hall, except any other separately licensed premises that is located in the food hall. The licensee may operate multiple points of sale with different business names within the food hall. The licensee shall designate the premises and each point of sale to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The points of sale may be noncontiguous within the licensed premises. The entire designated premises is covered under one (1)

license issued under this section. The licensee does not have to prepare or sell food as a condition of the license.

(c) A licensee licensed as a food hall may grant a franchise for the provision of alcoholic beverages to any person that regularly prepares and sells food on the food hall premises. The holder of the franchise is deemed to be a food hall under this section, and such franchisee is not required to obtain its own license; provided, that prior notice and disclosures must be given to the commission, on such forms or in such manner as may be prescribed by the commission, and the licensee shall pay the commission for each franchisee licensed under this section a two hundred dollar (\$200) annual privilege tax. Upon renewal of the food hall license by the licensee, and payment of the annual privilege tax for each franchise by the licensee, the franchise is deemed renewed.

(d) A restaurant, as defined in § 57-4-102(30)(A), which qualifies for a restaurant license under § 57-4-102(30), may be located within the premises of a food hall; provided, that the defined premises of such restaurant may be open for public ingress and egress within the premises of the food hall. Such restaurant may store its inventory of beer and alcoholic beverages on the licensed premises of the restaurant or food hall pursuant to subsection (g).

(e)

(1) Except as specifically set forth in this subsection (e), the commission shall enforce this chapter against each point of sale on the premises of the food hall and shall not cite, penalize, or take any other adverse action against a point of sale for any violation committed by another point of sale within a common licensed area on the premises of the food hall. There is a rebuttable presumption of liability for a specific point of sale for any underage sale based on the specific type of container, brand of beer or wine, or the name or logo on the labeled or unlabeled glassware or cup provided to the minor or other such violation. In the absence of a container, glassware, or cup identifying the point of sale, the commission may determine which point of sale to cite for an underage sale or

other such violation. If the commission is unable to determine which point of sale committed a violation after conducting a reasonable investigation, the commission may issue a citation to one (1) or more points of sale that share the common licensed area where the violation occurred. If the licensee or multiple franchisees commit multiple violations of § 57-4-203(b), § 57-4-203(c), or other prohibited offenses that jeopardize public safety which are of the same or similar nature during a twelve-month period, the commission may suspend or revoke the license after written notice and an opportunity to implement remedial measures.

(2)

(A) In determining whether the license may be suspended or revoked, the commission shall consider whether:

(i) The licensee has a commercially reasonable written policy to enforce the provisions of § 57-4-203(b), § 57-4-203(c), or other prohibited offenses that jeopardize public safety;

(ii) The licensee provides commercially reasonable training for all employees engaged in the sale and service of beer and alcohol;

(iii) The citation primarily results from an employee violating a written policy; and

(iv) The employee that violates the written policy is either terminated or suspended without pay.

(B) Upon consideration of the factors identified under subdivision (e)(2)(A), the commission shall impose a fine, suspension, or revocation against the point of sale.

(f) Notwithstanding § 57-4-101(p), any licensee licensed under this section may serve wine, high gravity beer, and beer in its original container, and spirit-based beverages in original containers that do not exceed three hundred seventy five milliliters (375 ml) and an alcohol content that does not exceed fifteen percent (15%) by volume,

in unlabeled cups or glassware, or in labeled cups or glassware identifying the licensee as the entity selling the alcoholic beverages or beer for on-premise consumption anywhere within the food hall. Any franchisee licensed under subsection (c) and any restaurant licensed under subsection (d) shall comply with the requirements of § 57-4-101(p); provided, that a sticker identifying the licensee, which is reasonably designed to stay affixed to a container, shall comply with § 57-4-101(p).

(g) The licensee or any of its franchisees licensed under subsection (c) or a restaurant licensed under subsection (d) may store beer and alcoholic beverages in one (1) or more central storage locations in the food hall; provided, that if the restaurant, franchisee, and food hall share the same storage area, the restaurant's inventory of beer and alcoholic beverages must be stored in a separately locked cage or other storage area. Notwithstanding any other provision in this chapter, the licensee, franchisee, or restaurant licensed under subsection (d) may transport beer and alcoholic beverages anywhere in the food hall, including, but not limited to, the premises of a separately licensed restaurant, public hallways, and areas that are restricted to the public for the purposes of transporting inventory within the food hall.

(h) Notwithstanding chapter 5 of this title to the contrary, the premises of any facility licensed under this section means for beer permitting purposes any or all of the property that constitutes the food hall, except any other permitted premises that is located in the food hall. The permittee may operate multiple points of sale with different business names within the facility, which may be contiguous or noncontiguous. The permittee shall designate the points of sale to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title. The permittee may grant a franchise for the provision of beer on its premises, and the holder of the franchise is not required to obtain its own beer permit; provided, that the franchisee's premises qualifies as an additional point of sale under this section and the franchisee has been approved by the commission under

subsection (c). For enforcement purposes, the local beer board shall treat each point of sale in the facility separately for violations of chapter 5 of this title and local beer ordinances. The local beer board shall not cite a point of sale for violations committed by another point of sale within a common licensed area. There is a rebuttable presumption of liability for a specific point of sale for any underage sale based on the specific type of container, brand of beer, or wine, unlabeled or labeled cup or glassware, or logo on the cup or glassware provided to the minor or such other violation. In the absence of a container, glass, or cup identifying the point of sale, the local beer board may determine which point of sale to cite for an underage sale or other such violation. If the local beer board is unable to determine the violator after conducting a reasonable investigation, the local beer board may issue a citation to one (1) or more points of sale that share the common licensed area where the violation occurred.

(i) Notwithstanding § 57-4-203(e)(1), a licensee licensed under this section and a franchisee licensed under subsection (c) may sell and distribute wine in any unsealed container for consumption on the licensed premises.

(j) The facility, landlord, tenant, or any licensee located in a food hall shall provide periodic security throughout the entire licensed premises.

SECTION 3. Tennessee Code Annotated, Section 57-4-301(b)(1) is amended by adding the following new subdivision (x):

(x) Food Hall	\$2000
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SECTION 4. Tennessee Code Annotated, Section 57-4-201(b)(1), is amended by deleting the language "restaurant, club" and substituting instead the language "restaurant, food hall, club".

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

House Departments & Agencies Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2480

House Bill No. 2558*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting subdivision () (ii) in Section 2 and substituting instead the following:

(ii) A restaurant under this subdivision (30)() is not required to meet any gross revenue percentage requirements for food service as a prerequisite to the issuance of a restaurant license to serve liquor by the drink; provided, however, that a restaurant applying for a renewal of its license under this subdivision (30)() must pay the appropriate license fee due under § 57-4-301(b)(1)(W) when the gross revenue from the previous year derived from food sales is fifty percent (50%) or less than the gross revenue from the sale of alcoholic beverages;



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Amendment No. _____

Signature of Sponsor

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Date _____

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Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2492

House Bill No. 1930*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility possessing each of the following characteristics:

(i) Has a marina with at least eighty-five (85) boat slips on Dale Hollow Lake at the confluence of the East and West Forks of the Obey River;

(ii) Has a restaurant with seating for approximately eighty (80) patrons;

(iii) Has assorted boats and at least twelve (12) cabins available for rent;

and

(iv) Is located in a county having a population not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility possessing each of the following characteristics:

(i) Is located approximately one (1) mile from Dale Hollow Lake, containing an area of ninety (90) acres;

(ii) Has a six-thousand-square-foot barn with a commercial kitchen used for events;

(iii) Has at least two (2) cabins for rent; and



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(iv) Is located on Bolestown Road in a county having a population not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least twenty-five (25) acres of land located off Livingston Boat Dock Road in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a two-story restaurant that seats at least one hundred eighty (180) people;

(iii) Has at least three hundred fifty-five (355) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least ten (10) rental cabins;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least forty (40) acres of land located off state highway 294 in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a restaurant that seats at least fifty (50) people;

(iii) Has approximately three hundred fifty (350) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least eleven (11) rental cabins;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on approximately two hundred seventy (270) acres of land and sits approximately nineteen (19) miles south of highway 24 in a county with a population of not less than forty-five thousand (45,000) and not more than forty-five thousand one hundred (45,100), according to the 2010 and any subsequent federal census;

(b) Is located on property that is separately licensed to produce, bottle, and store distilled spirits;

(c) Is located on property that offers tours and tastings, as well as the retail sale of merchandise and bottles of spirits and contains the global headquarters for a premium Tennessee whiskey company;

(d) Is located on property that includes a welcome center, three (3) tasting rooms, distillery building, barrel storage facilities, a pond, museum, bar, restaurant, commercial kitchen, miniature golf course, and live music venue;

(e) Is located on property that serves as a horse breeding and training facility;

(f) Is located on property that is a production site and a venue for weddings, meetings, conferences, concerts, and special events; and

(g) Has a restaurant that serves lunch and dinner, and caters for events with seating for at least forty-five (45) guests;

(ii) The commission and any beer board having jurisdiction over the facility may issue one (1) or more licenses to one (1) or more different persons or entities that meet the qualifications of this subdivision (27)(); provided, that the persons or entities obtaining licenses under this subdivision (27)() (ii) and any manufacturer licensed under § 57-3-202 comply with the requirements of § 57-4-110;

(iii) The premises of a facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility; provided, that the premises shall not include the premises of a manufacturer licensed under § 57-3-202 or any other facility

licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and

(iv) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means for beer permitting purposes any or all of the property that constitutes the facility; provided, however, that the premises shall not include the premises of a licensee under § 57-3-202 or any other facility licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing;

SECTION 3. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated restaurant, resort, and boat dock with fuel having the following characteristics:

- (i) Possesses at least twenty (20) acres of U.S. corps of engineers leased water and water frontage on Old Hickory Lake and two thousand feet (2000') of river channel at the southeast corner of the confluence of Old Hickory Lake and State Highway 109;
- (ii) Has operated for at least sixty (60) straight years on this site;
- (iii) Possesses at least sixty-five (65) full service paved camp sites;
- (iv) Possesses boat slips for at least two hundred fifty (250) boats; and
- (v) Is located on at least ten (10) acres of real property at that site;

SECTION 4. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated facility possessing all of the following characteristics:

(i) Is located on U.S. Highway 421 South approximately three hundred (300) yards from a city that has adopted alcoholic beverages for consumption on the premises and retail package sales through a referendum of the voters;

(ii) Has been in operation as an inn since 2018 with at least five (5) available rooms for rent;

(iii) Has a dining area with seating capacity for at least forty (40) persons that is open to the public with a menu of prepared food available for patrons; and

(iv) Is located in a county having a population of not less than eighteen thousand two hundred (18,200) nor more than eighteen thousand three hundred (18,300), according to the 2010 federal census or any subsequent federal census;

SECTION 5. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated facility that:

(i) Includes an eighteen-hole golf course, a seven-thousand-square-foot clubhouse with a pro shop, banquet room, and restaurant with seating for at least forty (40) patrons;

(ii) Contains at least one hundred (100) acres and less than two hundred (200) acres; and

(iii) Is located less than one (1) mile from Fort Loudon Lake on Kingston Pike in a county having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census;

SECTION 6. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

() A commercially operated independent and assisted living facility possessing the following characteristics:

- (i) Is located in a county having a population of not less than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census;
- (ii) Has both independent and assisted living facilities available and provides memory care and respite service;
- (iii) Has several full-service restaurants and dining rooms to service the residents but that are also open to the public and that serve three (3) chef-prepared meals per day;
- (iv) Has a complete wellness and fitness facility available that accommodates physical and occupational therapy;
- (v) Has complete recreational facilities for its residents;
- (vi) Has not less than one hundred thirty-five (135) individual living unit apartments for residents;
- (vii) Does not discriminate against any patron on the basis of gender, race, religion, or national origin; and
- (viii) Has a full-service barber and beauty salon;

SECTION 7. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

()

(i) A commercially operated facility having all of the following characteristics:

- (a) The facility is located on approximately five hundred (500) acres of land;

(b) The facility is located less than three (3) miles north of an area designated as The South Cumberland State Park consisting of approximately thirty thousand (30,000) acres that is open to the public;

(c) The facility is located within five (5) miles of Interstate 24 in a county having a population of not less than thirteen thousand seven hundred (13,700) nor more than thirteen thousand seven hundred fifty (13,750), according to the 2010 federal census or any subsequent federal census;

(d) The facility includes two (2) cabins, a tiny house, a stage, three (3) fishing ponds, a check-in facility, a bathhouse, fifty (50) RV hookups, multiple hiking trails, frisbee golf, and a wedding pavilion;

(e) The facility serves as a venue for weddings, meetings, and conferences; and

(f) The facility has two (2) event centers that can accommodate at least one hundred fifty (150) guests at each center;

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision (27)();

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer

permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

(iv) The requirements of § 57-5-105(b)(1) do not apply to any facility licensed under this subdivision (27)(); and

(v) Any facility licensed under this subdivision (27)() may seek an additional license as a caterer under this chapter;

SECTION 8. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility having the following characteristics:

(i) Contains a restaurant in a free-standing building with retail space and consisting of approximately three thousand square feet (3,000 sq. ft.); and

(ii) Is located at the intersection of state highways 46 and 100 in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant with seating for at least twenty-nine patrons inside and fourteen (14) patrons outside and that does not use a freezer or a fryer; and

(ii) Is located less than one thousand feet (1,000') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant that features live music and that is adjacent to a custom motorcycle shop; and

(ii) Is located less than three hundred feet (300') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

SECTION 9. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following language as a new subdivision:

() A commercially operated facility possessing each of the following characteristics:

(i) Contains a restaurant that has been in operation since at least 2012 with at least forty-two (42) seats inside and seventy-five (75) seats outside;

(ii) Contains a banquet hall that is used for weddings, banquets, meetings, and other events and is at least three thousand square feet (3,000 sq. ft.); and

(iii) Is located approximately seven hundred (700) yards from state highway 641 South and is adjacent to a winery in a county having a population of not less than thirty-two thousand three hundred one (32,301) nor more than thirty-two thousand four hundred (32,400), according to the 2010 federal census or any subsequent federal census;

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.